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March 7, 2000

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

VIA HAND DELIVERY

Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals - TW-A325
445 Twelfth Street, S.W.
Washington, DC 20554

Re: Ex Parte
CC Docket No. 99-142

Dear Ms. Salas:

Pursuant to Section 1.1206(b)(1) and (2) of the Commission's rules, 47 C.F.R. Section 1.1206(b)(1) and (2), this letter will provide notice that on March 6, 2000 the undersigned and Mike Duke, Director of Regulatory Affairs, KMC Telecom, Inc. met with Claudia Pabo and John Adams of the Common Carrier Bureau concerning issues in the above-captioned proceeding. We presented the views set forth in KMC's petition that initiated this proceeding. We stated that ILEC termination penalties are frequently unreasonable and designed to thwart competition. We additionally provided the documents attached to this letter.

Sincerely,


Patrick J. Donovan

cc: Claudia Pabo
John Adams

No. of Copies rec'd 0+4
List ABCDE



BellSouth Telecommunications, Inc.
400
150 South Monroe Street
Tallahassee, Florida 32301

850 222-1201
Fax 850 222-8640

Nancy H. Sims
Director - Regulatory Relations

April 30, 1999

RECEIVED
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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Kathy Lewis
Division of research and Regulatory Review
Florida Public Service Commission
2540 Shumard Oak Boulevard
Gerald L. Gunter Building
Tallahassee, Florida 32399-0850

Dear Ms. Lewis:

RE: Docket 980253-TX Fresh Look Data Request

Attached is BellSouth Telecommunication's response to your data request of March 30, 1999.

If you have any further questions, please do not hesitate to call.

Yours very truly,


Director-Regulatory Relations

Attachment

BellSouth Telecommunications, Inc.
FPSC Staff's Data Request
Dated: March 30, 1999
Docket 980253-TX; Fresh Look Policy
Item No. 1
Page 1 of 1

REQUEST: For all services provided under eligible contracts, please provide a copy of your tariff pages that contain the corresponding tarified service, showing both recurring and non-recurring charges.

RESPONSE: See attached tariff pages.

RESPONSE PROVIDED BY: Stan Greer

BellSouth Telecommunications, Inc.
FPSC Staff's Data Request
Dated: March 30, 1999
Docket 980253-TX; Fresh Look Policy
Item No. 2
Page 1 of 1

REQUEST: For each tariffed service provided in response to Staff's First Data Request, Question 1, please state the amount of contribution (rate minus unit cost) contained in each of the monthly recurring charges.

RESPONSE: Attached are lists of USOC's with contract plans and corresponding contribution levels for the following services:

BellSouth Primary Rate ISDN
ISDN – Business Service
ISDN – Residence Service
MultiServ* Service
ESSX® Service

* Service Mark of BellSouth Corporation.

RESPONSE PROVIDED BY: Sheila Coffey, Manager, Cost Matters

BellSouth Telecommunications, Inc.
FPSC Staff's Data Request
Dated: March 30, 1999
Docket 980253-TX; Fresh Look Policy
Item No. 3
Page 1 of 1

REQUEST: Please complete the matrix contained on the following pages for all contract service arrangements that would be eligible for "fresh look" under the proposed rule criteria. For purposes of this request, assume that the effective date of the rule is January 1, 2000.

RESPONSE: See attached matrix for individual service element and full service Contract Service Arrangements which meet the "fresh look" criteria as of April 22, 1999, assuming the effective date of the rule is January 1, 2000.

RESPONSE PROVIDED BY: Johnnie R. Simmons

Number of Outstanding Eligible Contracts - by Quarters
Expiration Date (Quarter/Year)

[illegible]

BellSouth Telecommunications, Inc.
FPSC Staff's Data Request
Dated: March 30, 1999
Docket 980253-TX; Fresh Look Policy
Item No. 4
Page 1 of 1

REQUEST: Please complete the matrix contained on the following pages for all tariffed term plans that would be eligible for "fresh look" under the proposed rule criteria. For purposes of this request, assume that the effective date of the rule is January 1, 2000.

RESPONSE: See attached matrix for the tariff term plans which meet the "fresh look" criteria as of April 22, 1999, assuming the effective date of the rule is January 1, 2000.

RESPONSE PROVIDED BY: Johnnie R. Simmons

Number of Outstanding Eligible Tariffed Term Plans – by Quarters
Expiration Date (Quarter/Year)

Effective Date (Qtr/Yr)	1/00	2/00	3/00	4/00	1/01	2/01	3/01	4/01	1/02	2/02	3/02	4/02	1/03	2/03	3/03	4/03	1/04	2/04	3/04	4/04	Post 4/04
Pre-1993	10	25	21	7	2								1								
1/93	18			1	20	2		1													
2/93		14				12															
3/93			34		1		33														
4/93				15		1		10													
1/94					10				9	4											
2/94						23				8											
3/94			2		1		10	1			2										
4/94						1		5			1	1									
1/95	4		1		1				8				2								
2/95		12	5					1		4											
3/95	1		23								8				3						
4/95				6								4				1					
1/96					14				6	1			27				4	4			
2/96		37	3			56		1		36			1	9	1						
3/96			1		2		64	1	2		1	1			6		1		5		
4/96				2	2	6		60			1	2	8			17				4	
1/97	42	1			19	4		2	108				11				10	1	1		
2/97		42				14	4	1	87					1			1	3			9
3/97			27				22	2			83				2				7		3
4/97				16				9	2			27				2				5	
1/98	287		1	3	27				12	4			36								10
2/98	2	344				28				22	1			52							8
3/98			337			1	39				40	10	1		68						11
4/98		1		288	1		1	18				12	5	1	2	16			2	14	5
1/99					172				19				14				22				6
2/99						11							2					1			1

BellSouth Telecommunications, Inc.
FPSC Staff's Data Request
Dated: March 30, 1999
Docket 980253-TX; Fresh Look Policy
Item No. 5
Page 1 of 1

REQUEST: In order to determine the number of customers impacted by the proposed rule on "fresh look," please provide the number of unique accounts or customers impacted by eligible contracts or tarified term plans. For purposes of this request, assume that the effective date of the rule is January 1, 2000.

RESPONSE: 3,426 unique accounts are impacted by the proposed rule as of April 22, 1999, assuming the effective date of the rule is January 1, 2000.

RESPONSE PROVIDED BY: Johnnie R. Simmons

REQUEST: Please provide the amount of unrecovered non-recurring costs for each contract should a Notice of Termination be provided in accordance with proposed Rule 25-4.302(5)(a), F.A.C. For purposes of this question, assume that all eligible contracts are terminated at the earliest possible date, given an effective date for the rule of January 1, 2000.

RESPONSE: The data requested by contract is not maintained in a manner that is readily available. The data is being provided by units in service which considers the same universe of items and charges but does not consider the number of individual items grouped under one contract.

The unrecovered non-recurring cost estimate for Primary Rate Interface (PRI) ISDN Service is \$365,308.65.

BellSouth does not anticipate incurring any unrecovered non-recurring costs for ESSX or MultiServ Service.

RESPONSE PROVIDED BY: Ned Johnston

REQUEST: Calculate the difference between the termination liability under the proposed rule and the termination liability under the existing contract provisions in accordance with Rule 25-4.302(5)(a), F.A.C. If there would be no unrecovered non-recurring costs associated with a particular contract, please so indicate.

RESPONSE: The estimated difference between the termination liability under the proposed rule and the termination liability under the existing contract provisions in accordance with Rule 26-5.302(5)(a) F.A.C. are as follows by service types:

ESSX and MultiServ	\$25,670,000.00
Primary Rate Interface (PRI) ISDN Service	\$42,853,208.55

RESPONSE PROVIDED BY: Ned Johnston

BellSouth's Total CSAs Affected (124)*

BellSouth's CSAs Affected (By Expiration Date)*

Total expired by 12/31/2000	64
% of total expired by 12/31/2000	52%
Total expired by 12/31/2001	90
% of total expired by 12/31/2001	73%
Total expired by 12/31/2002	110
% of total expired by 12/31/2002	89%
Total expired after 2002	14

* These figures include contracts entered into before April 22, 1999 that would not expire prior to January 1, 2000 and otherwise would meet the criteria in the proposed "Fresh Look" Rules.

BellSouth's Total Tariffed Term Plans Affected (3302)*

BellSouth's Total Tariffed Term Plans Affected (By Expiration Date)*

Total expired by 12/31/2000	1,633
% of total expired by 12/31/2000	49%
Total expired by 12/31/2001	2,348
% of total expired by 12/31/2001	71%
Total expired by 12/31/2002	2,875
% of total expired by 12/31/2002	87%
Total expired after 2002	427

- * These figures include contracts entered into before April 22, 1999 that would not expire prior to January 1, 2000 and otherwise would meet the criteria in the proposed "Fresh Look" Rules.

BellSouth's Affected Contracts Formed After ALEC Entry*

Total Affected CSAs (124)*

Total affected CSAs formed after 1/1/96	112
% of total affected CSAs formed after 1/1/96	90%
Total affected CSAs formed after 1/1/97	103
% of total affected CSAs formed after 1/1/97	83%

Total Affected Tariffed Term Plans ("TTPs") (3,302)*

Total affected TTPs formed after 1/1/96	2,912
% of total affected TTPs formed after 1/1/96	88%
Total affected TTPs formed after 1/1/97	2,526
% of total affected TTPs formed after 1/1/97	76%

* These figures include contracts entered into before April 22, 1999 that would not expire prior to January 1, 2000 and otherwise would meet the criteria in the proposed "Fresh Look" Rules.



Beverly Y. Menard
Regulatory & Governmental Affairs
Assistant Vice President - Florida/Georgia

GTE Service Corporation

One Tampa City Center
Post Office Box 110, FLTC0616
Tampa, Florida 33601-0110
813-483-2526
813-223-4888 (Facsimile)

April 29, 1999

Ms. Kathy Lewis
Division of Research and Regulatory Review
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Dear Ms. Lewis:

Subject: Docket No. 980253-TX, Staff's data request dated March 30, 1999 on proposed fresh look rules

Attached are GTE Florida's responses to Staff's data request dated March 30, 1999 regarding "fresh look".

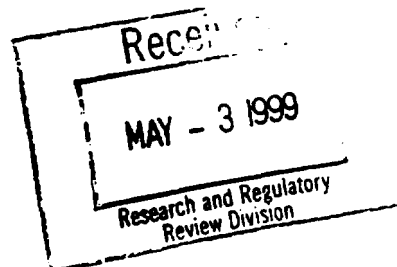
Should you require additional information, please contact Mike Scobie at (813) 483-2530.

Sincerely,

A handwritten signature in cursive script that reads "Mike Scobie".

Handwritten initials "BYM" followed by the typed name "Beverly Y. Menard".

BYM:lrh
Attachments



DOCKET NO. 980253-TX
GTE FLORIDA'S RESPONSES TO STAFF'S DATA REQUEST ON
FRESH LOOK POLICY
PROPOSED RULES: 25-4.300, F.A.C., SCOPE AND DEFINITIONS;
25-4.301, F.A.C., APPLICABILITY OF FRESH LOOK; 25-4.302, F.A.C.,
TERMINATION OF LEC CONTRACTS

Company Name & Address: GTE Florida, Inc., Tampa, FL
Telephone Number: (813) 483-2526
Respondent's Name & Title: Beverly Menard - Regulatory & Governmental Affairs
Affairs Assistant Vice President - Florida/Georgia

1. For all services provided under eligible contracts, please provide a copy of your tariff pages that contain the corresponding tarified service, showing both recurring and non-recurring charges.

Response:

Copy of tariff pages attached.

2. For each tarified service provided in response to Staff's First Data Request, Question 1, please state the amount of contribution (rate minus unit cost) contained in each of the monthly recurring charges.

Response:

GTE seeks clarification as to the relevancy of this request to the issues in this proceeding. GTE is reluctant to disclose such information without strong justification because it is highly proprietary and competitively sensitive.

3. Please complete the matrix contained on the following pages for all contract service arrangements that would be eligible for "fresh look" under the proposed rule criteria. For purposes of this request, assume that the effective date of the rule is January 1, 2000.

Response:

See attached matrix. The numbers contained in the matrix are an estimate based on existing contracts. Many assumptions were used to populate the matrix, including, but not limited to the following: (1) all contracts assumed to have 1/2 of the term remaining at effective date of the rule; (2) all contracts spread equally over

possible effective dates and expiration dates; (3) it is assumed that the number and type of contracts that exist today will be the same on the effective date of the rule; and (4) no growth is assumed, no loss is assumed.

4. Please complete the matrix contained on the following pages for all tariffed term plans that would be eligible for "fresh look" under the proposed rule criteria. For purposes of this request, assume that the effective date of the rule is January 1, 2000.

Response:

See attached matrix. The numbers contained in the matrix are an **estimate** based on existing tariffed term plans. Many assumptions were used to populate the matrix, including, but not limited to the following: (1) all tariffed term plans assumed to have 1/2 of the term remaining at the effective date of the rule; (2) all tariffed term plans spread equally over possible effective dates and expiration dates; (3) it is assumed that the number and type of tariffed term plans that exist today will be the same on effective date of the rule; and (4) no growth is assumed, no loss is assumed.

5. In order to determine the number of customers impacted by the proposed rule on "fresh look," please provide the number of unique accounts or customers impacted by eligible contracts or tariffed term plans. For purposes of this request, assume that the effective date of the rule is January 1, 2000.

Response:

The number of unique accounts or customers impacted is approximately equal to the total of the eligible contracts and tariffed term plans as provided in response to questions 3 and 4.

6. Please provide the amount of unrecovered non-recurring costs for each contract should a Notice of Termination be provided in accordance with proposed Rule 25-4.302(5)(a), F.A.C. For purposes of this question, assume that all eligible contracts are terminated at the earliest possible date, given an effective date for the rule of January 1, 2000.

Response:

Unrecovered non-recurring costs for each contract can only be calculated by a detailed analysis of each and every contract individually. This would be an unduly time consuming and burdensome effort. An estimate of the amount of total termination liability charges under existing contract and tariff provisions that would not be recoverable, if all eligible contracts and tariffed term plans provided a Notice of Termination on January 1, 2000 is \$21M. All assumptions used to respond to questions 3 and 4 are also used here. In addition, GTEFL has identified an additional \$29M in revenues that could be lost. These additional lost revenues include the non-contracted, non-term components of the fresh look eligible services.

7. Calculate the difference between the termination liability under the proposed rule and the termination liability under the existing contract provisions in accordance with Rule 25-4.302(5)(a), F.A.C. If there would be no unrecovered non-recurring costs associated with a particular contract, please so indicate.

Response:

An estimate of the termination liability under the existing contract provisions has been provided in response to question 6. As also stated in response to question 6, the unrecovered non-recurring costs for each contract would be unduly burdensome to produce. It is assumed that the actual unrecovered non-recurring costs would not exceed the amount of termination liability under the existing contract provisions as provided in response to question 6.

[illegible][illegible]

Number of Outstanding Eligible Contracts - by Quarters
Expiration Date (Quarter/Year)

Effective Date (Qtr/Year)	1/00	2/00	3/00	4/00	1/01	2/01	3/01	4/01	1/02	2/02	3/02	4/02	1/03	2/03	3/03	4/03	1/04	2/04	3/04	4/04	Post 04
1/98	1		1		1																
2/98		2		1		1															
3/98		1		2		1															
4/98	1		1		2		1														
1/99	2		1		2		1		1		1										
2/99	2	3		2		1		1													

[illegible]

Number of Outstanding Eligible Tariffed Term Plans- by Quarters Expiration Date (Quarter/Year)																					
Effective Date (Qtr/Year)	1/00	2/00	3/00	4/00	1/01	2/01	3/01	4/01	1/02	2/02	3/02	4/02	1/03	2/03	3/03	4/03	1/04	2/04	3/04	4/04	Post 04
1/98	88	86	85	86	88		1	1	2	1	1		3				2				2
2/98	86	85	86	86	85	86	1		1	1		1	1								
3/98	86	86	85	86	86	85	86	1		1	1		1	1							
4/98	86	86	85	86	86	85	86	86		1	1		1	1		1					
1/99	383	85	86	86	87	86	86	85	88	1		1	3		1	1	2				2
2/99	381	382	85	86	86	85	86	86	85	83	1	1	1	1	1	1	1				

PLEASE RETURN BY April 30, 1999, TO:

Kathy Lewis

Division of Research and Regulatory Review

Florida Public Service Commission

2540 Shumard Oak Boulevard

Tallahassee, Florida 32399-0872

PHONE No. (850) 413-6594

FAX No. (850) 413-6595

4721-